IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION.

CHAMBER SUMMONS No. 654 of 2006.
IN
SUIT NO. 1503 OF 2002.

M.M. Corporation **..Plaintiffs.**

V/s.

Jagdish Jayanand Vyas
& Ors. **..Defendants.**

Mr. Zubin Jariwala i/b. Thakore & Jariwala Associates. for the plaintiffs.

Mr. H. Mehta for defendants.

CORAM:S.C.DHARMADHIKARI,J.

DATED: 24th July, 2006.

P.C.:-

Not on Board. Upon mentioning taken on Board.

1] This Chamber Summons is for bringing the heirs and legal representatives of defendant no. 5 on record.

2] There is a delay in taking out this Chamber Summons.

3] Mr.Zariwalla states that urgency is that the Notice of Motion is on Board of the learned Single Judge and amendment would be necessary. Otherwise, the suit will abate as against the deceased defendant.

4] Chamber Summons is not opposed by Mr. Mehta appearing for defendant Nos. 1 to 4 and the respondents.

5] By consent, Chamber Summons is made absolute in terms of prayer clause (a) to (c).

6] No order as to costs.

7] Mr. Mehta undertakes to file Vakalatnama on behalf of the heirs and legal representatives of deceased defendant no.5 in one week from today.

8] Amendment to be carried out within a period of two weeks from today. Copy of the amended plaint to be served within

two weeks thereafter.

[S.C. DHARMADHIKARI,J]